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MINUTES OF THE ZONING BOARD
PUBLIC HEARING & REGULAR MEETING,
HELD MONDAY, SEPTEMBER 15, 2014, 7:00 P.M.,
4TH FLOOR, CAFETERIA, GOVERNMENT CENTER
BUILDING, 888 WASHINGTON BLVD,
STAMFORD, CT 06901

Present for the Board: Rosanne McManus, Barry Michelson, William Morris, David Stein and Joanna Gwozdzowski (Thomas Mills joining at 7:35pm). Present for staff: Norman Cole, Land Use Bureau Chief and David Killeen, Associate Planner.

Mr. Michelson called the meeting to order at 7:10 PM.

PUBLIC HEARING

1. **Application 214-17 – HIGH RIDGE REAL ESTATE OWNER, LLC, Text change,** to amend the definition of “Surgery Center/Out Patient” to clarify the term “gross floor area”, to amend the C-D District standards to include “Surgery Center/Out Patient” as a permitted use, and amend the C-D District standards to establish a minimum setback for emergency generators and to exempt emergency generators from the calculation of non-porous surface area coverage (*continued from September 8, 2014*).
2. **Application 214-18 – HIGH RIDGE REAL ESTATE OWNER, LLC, 0 Turn of River Road, Final Site & Architectural Plans,** for approval of Final Site plans for change of use from general office use to a Surgery Center/Out Patient facility, for 14,147 square feet on the third floor of Building 5 and to install an emergency generator with landscaped screening, for property in a C-D district (*continued from September 8, 2014*).

Attorney Ted O’Hanlan recapped the applications. He explained that they anticipate low traffic generation and the use is consistent with the Master Plan. Surgery Outpatient uses are closely regulated uses and they need their own emergency generator.

Mr. Michelson asked how many other medical offices are there? Attorney O’Hanlan said the rest of the floor and some on the first floor. No other medical uses are located in the High Ridge Office Park.

Attorney Hennessey summarized his objections. This creates a potential (CD Zone) for major medical related uses. This type of text change requires careful thought. Re-using suburban office parks is a current topic of great interest.

Attorney Lisa Feinberg said the Stamford Hospital is the most important part of the plan to revitalize the Stillwater Avenue corridor.

Attorney O’Hanlan said there are only four of these uses in Stamford and that they all require a Certificate of Need so there won’t be an unrestricted proliferation of these uses. This use is highly regulated.

Mr. Mills joined the meeting at 7:35pm.

Mr. Mills asked if anyone from the public wanted to comment. There were none.

Attorney O'Hanlan said Attorney Hennessey is fear-mongering. He is inaccurate. The Zoning Board is being asked to deny/exclude a use to control competition. The Staff report supports this application and the Planning Board is in favor. The Zoning Board has site plan review authority. Larger applications of this use, 15,000 s.f. or larger, require special exception approval.

Mr. Mills closed the public hearing on these applications at 8:10pm.

REGULAR MEETING

APPROVAL OF MINUTES:

Minutes of July 28, 2014

Mr. Michelson proposed a change to page 2 stating the vote should stand and Ms. McManus's vote should be "vacated". Therefore the vote was 2:1:1. He also proposed changes to page 10. Mr. Stein proposed a change to page 6. Mr. Mills tabled approval of these minutes until the next meeting.

Minutes of September 8, 2014

Mr. Michelson proposed a change to page 2. After a brief discussion, Mr. Morris made a motion to approve the minutes with the revision, seconded by Ms. McManus and the motion was unanimously approved 5 to 0 (Mills, McManus, Michelson, Morris and Stein).

PENDING APPLICATIONS:

1. CSPR-957 – Woodland Cemetery Association

Mr. Mills polled the Zoning Board members and the consensus was to defer discussion until the next meeting when Jim Minor, Counsel for the City of Stamford, could be present. Mr. Mills tabled discussion and a vote on this application until the next meeting.

2. Application 214-10 – 80 WEP-1351, LLC, DP 26, LLC & ALBRIGHT PROPERTIES GROUP, LLC, 1351 Washington Blvd, Text change
3. Application 214-11 – 80 WEP-1351, LLC, DP 26, LLC & ALBRIGHT PROPERTIES GROUP, LLC, 1351 Washington Blvd, Special Exception request

Mr. Killeen distributed redrafted text and explained the recommendations.

After a brief discussion, Ms. McManus made a motion to approve the redrafted text change application with additional modifications noted, seconded by Mr. Stein and the motion was unanimously approved 5 to 0 (Mills, McManus, Michelson, Morris and Stein). The text change will read as follows:

To Amend Article I, Section 3-A-92.1 by redesignating the existing section (Senior Housing and Nursing Home Facility Complex) as Article I, Section 3-A-92.2 and in its place substituting the following:

92.1 Self-Storage Facility – A self-service, controlled-access facility occupying a building or portion of a building or consisting of a group of buildings in a controlled-access compound, providing individual, compartmentalized stalls or lockers for the dead storage of customers business, personal and/or household goods. When approved by Special Exception in accordance with Appendix A, Table II, use 164.1, such facility shall be an adaptive reuse of existing floor area within an existing office building, and shall be subject to the following standards:

- 1) Floor Area shall not exceed a 0.5 Floor Area Ratio;
- 2) Said use shall be fully enclosed within the basement of the building; and
- 3) Signage shall be subject to Zoning Board approval; and
- 4) Other than approved signage, there shall be no external evidence of the use.

To Amend Article IV, Section 12-D-18 to revise and provide for the following:

18. Warehouses and Self-Storage Facilities shall have one parking space for every 2,000 square feet of area and may be provided at a point not more than 500 feet distant in a direct line from the nearest part of the building served.

To Amend Appendix A, Table I, to modify line # 42.1(Senior Housing and Nursing Home Facility Complex) to reflect new definition number 92.2 and amend Appendix A, Table II to add a new line #164.1 as shown below:

<i>PERMITTED USES IN COMMERCIAL AND INDUSTRIAL DISTRICTS ONLY</i>	<i>C-G</i>	<i>M-L</i>	<i>M-G</i>
<i>164.1 - Self-Storage Facility (92.1)...</i>	<i>B</i>	<i>X</i>	<i>X</i>

After a discussion about the proposed use and concerns raised at the public hearing, Ms. McManus made a motion to approve the special exception application, seconded by Mr. Stein and the motion was unanimously approved 5 to 0 (Mills, McManus, Michelson, Morris and Stein). Conditions for the special exception will read as:

WHEREAS, the Zoning Board has received an application for Special Exception approval submitted by 80 WEP-1351,LLC; DP26, LLC, and ALBRIGHT PROPERTIES GROUP, LLC to permit a "Self-Storage Facility" of approximately 3,224 square feet to be located in an existing office building located at 1351 Washington Boulevard in the C-G District; and

WHEREAS, the approved Special Exception application is more particularly described in a set of architectural plans entitled: "A-01 General Information and Code Criteria", "A-02 General Information Location & Demo Plan", and "A-10 Floor Plans & RCP" prepared by Gallin Beeler Design Studio, PLLC and dated April 6, 2013; and a survey drawing titled "ALTA/ACSM Land Title Survey Depicting 1351 Washington Boulevard, Stamford, CT Prepared for Diamond Properties, LLC", prepared by Redniss & Mead and dated January 19, 2005, signed January 24, 2006, and such related materials, reports and exhibits constituting the application file as may be amended to be consistent with representations made during the public hearing on September 8, 2014 and conditions contained herein. Together all of these documents are referred to hereinafter as the Building and Site Plans; and

WHEREAS, the Zoning Board conducted a duly called public hearing on September 8, 2014, and has considered the submitted comments of other interested City agencies, officials and the general public;

WHEREAS, the Zoning Board makes the following special findings:

- *The Special Exception application, as herein modified, conforms to the standards, goals, purposes and specific objectives of the C-G Zoning Regulations and the Stamford Master Plan as well as all of the standards of Section 19-3.2 of the Stamford Zoning Regulations.*
- *The location and nature of the site is appropriate to support the “Self-Storage Facility” use.*
- *The application furthers the goal of the Master Plan to promote downtown housing by providing a desirable and complementary use in close proximity to both existing and proposed housing.*
- *The application will appropriately reuse existing vacant office space.*
- *The application will reduce an existing parking nonconformity.*

NOW THEREFORE BE IT RESOLVED that the Zoning Board approves Application 214-11 requesting Special Exception approval, subject to the following conditions:

SITE-SPECIFIC CONDITIONS:

1. *All work shall substantially conform to the above referenced Building and Site Plans unless otherwise approved by the Zoning Board or, for minor modifications, Zoning Board staff.*
2. *Hours of operation for truck and trailer access, shall be limited to Monday through Friday from 7:30 AM to 7:30 PM and Saturday from 10:00 a.m. to 4:00 p.m. and closed Sunday.*
3. *Prior to issuance of a Certificate of Occupancy, the Applicants shall submit signage details for final approval by Zoning Board.*
4. *Prior to issuance of a Certificate of Occupancy, the Applicants shall submit a security plan for approval by Zoning Board staff restricting after-hours access to only the self-storage area of the basement.*

STANDARD CONDITIONS:

1. *Prior to issuance of a Building Permit, applicant shall obtain a discharge permit from the Stamford Water Pollution Control Authority and shall provide information requested in the July 11, 2014 memorandum from Prakash Chakravarti, P.E. Supervising Engineer, and Stephen W. Pietrzyk, Regulatory Compliance Officer.*
 2. *The Applicant shall have one year from the effective date of this approval within which to secure a Building Permit, subject to Zoning Board approval of three extensions, each not more than one year, upon timely application and good cause shown.*
4. Application 214-17 – HIGH RIDGE REAL ESTATE OWNER, LLC, Text change

5. Application 214-18 – HIGH RIDGE REAL ESTATE OWNER, LLC, 0 Turn of River Road, Final Site & Architectural Plans

Mr. Stein recused himself from voting on these applications and Mr. Mills seated Alternate, Joanna Gwozdzowski.

The Board discussed how often the generators have to be exercised. They also discussed where the current leases are.

Mr. Mills tabled discussion and a vote on this application until the next meeting.

OLD BUSINESS

1. Application 212-21 and 212-22 – WILLIE JAMES WILSON, 190 Stillwater Avenue, Special Exceptions, Site Plans, Village Commercial District project approval, specifically a reduction of the parking standards including permitting parking (*extension of time request*).

After a brief discussion, Ms. McManus made a motion to approve the extension of time request, seconded by Mr. Stein and the motion was approved 3:0:2 (McManus, Morris and Stein in favor; Mills and Michelson abstaining).

2. **Application 213-47 - TR Eastview, LLC - GDP, FSP and Special Exception**, “infill” development that includes the construction of a new six (6) story residential building with 82 residential apartments (*administrative review of parking plans*).

Attorney Hennessey explained the available parking on nearby properties and the interest in accessing parking at 100 Prospect Street (49 spaces). They would need to amend the approved special exception for 100 Prospect Street and a text change to allow a parking ratio of 1 space per 1 unit of one bedroom or less. The parking lease is for 50 years. 100 Prospect Street has all studios and one bedroom units and all leases include one free parking space. The application submitted requests a modification of the approval in order to eliminate the below grade garage floor and to authorize a foundation permit but no full Building Permit until 100 Prospect parking lease is available.

Mr. Mills tabled further discussion of this application until the next meeting.

NEW BUSINESS

1. Administrative review of signage, Sign of the Whale, 100 Washington Blvd.

Mr. Killeen discussed the proposed 86 s.f. sign. After a brief discussion, Ms. McManus made a motion to approve sign request, seconded by Mr. Morris and the motion was approved 5:0 (Mills, Michelson, McManus, Morris and Stein).

2. Discussion of Text Change for State Transit-Oriented Development Project

The Board discussed Mr. Michelson’s drafted text change.

After further discussion, Ms. McManus made a motion to approve that the Zoning Board submit the text change application for review, seconded by Mr. Morris and the motion was approved 5:0 (Mills, Michelson, McManus, Morris and Stein).

3. Application 213-20 – CCMCR HS 700 CANAL STREET, LLC; CCMCR HS 850 CANAL STREET, LLC; CCMCR HS 880 CANAL LLC; CANAL STREET HARBOR SQUARE, LLC, Special Exception, Site & Architectural Plans and/or Requested Uses and Coastal Site Plan Review, (*proposed changes to Public Access improvements*)

Mr. Mills tabled further discussion of this application until the next meeting.

Ms. McManus made a motion to amend the agenda to add Item #4, Status of the Boatyard Remediation to the agenda, seconded by Mr. Stein and the motion was approved 5:0 (Mills, Michelson, McManus, Morris and Stein).

Mr. Cole lead a discussion of the status of the Boatyard.

The meeting adjourned at 11:00 p.m. on a motion by Ms. McManus, seconded by Mr. Morris and the motion was approved 5:0 (Mills, Michelson, McManus, Morris and Stein).
Respectfully submitted,

Barry Michelson, Secretary
Stamford Zoning Board